

REMARKS

This is a full and timely response to the Decision on Appeal from the Board of Patent Appeals and Interferences mailed August 31, 2009 (the "Decision"). Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks are respectfully requested.

In the Decision the Board affirmed the Examiner's rejections of claims 1-3, 7, 9-12, 15-24, 29-38, and 61-65, but reversed the rejection of claims 4-6, 13, and 14. It is also noted that claims 8 and 25-28 have been indicated as containing allowable subject matter, but were objected to as depending from a rejected base claim. Therefore, to place claims 4-6, 8, 13, and 14 in a condition for allowance, Applicants have cancelled the claims where the Board affirmed the Examiner and have amended the remaining claims. Claims 39-60 were previously withdrawn.

Claim Status:

Since claim 4 depended from claims 2 and 1, Applicants have rewritten claims 1, 2, and 4 as newly added claim 66 which now incorporates all of the elements of those separate claims. This necessitated the cancellation of claims 1-4 and an amendment of claims 5, 6, and 8 to show a dependence to claim 66 rather than the original claim 4. No other amendments to those claims have been made.

Similarly claims 13 has been amended to show a dependence to claim 66 rather than the original claim 1. And claim 14 remains unamended since it depended from claim 13. All the

other claims 15-38 and 61-65 have been cancelled and claims 39-60 were previously withdrawn.

Conclusion

It is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited. If the Examiner has any comments or suggestions which could place this application in better form, the Examiner is requested to telephone the undersigned attorney at the number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 08-2025 and please credit any excess fees to such deposit account.

Respectfully submitted,

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